

Dakota shall also provide documentation of consultation with and approval from the appropriate State agencies for the ground cover standard in chapter II, Section I on land reclaimed for use as recreation.

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DEPARTMENT OF DEFENSE

Department of the Air Force

32 CFR Part 806b

[Air Force Reg. 37-132]

Air Force Privacy Act Program

AGENCY: Department of the Air Force, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Air Force is deleting an exemption rule. The rule was for the system of records notice F030 AF LE A, entitled Equal Opportunity in Off-Base Housing. The notice has already been amended to reflect this change.

EFFECTIVE DATE: July 14, 1995.

FOR FURTHER INFORMATION CONTACT: Ms. Anne Turner at (703) 697-3491 or DSN 227-3491.

SUPPLEMENTARY INFORMATION: Executive Order 12866. The Director, Administration and Management, Office of the Secretary of Defense has determined that this Privacy Act rule for the Department of Defense does not constitute 'significant regulatory action'. Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866 (1993).

Regulatory Flexibility Act of 1980

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

Paperwork Reduction Act

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

List of Subjects in 32 CFR Part 806b

Privacy.

Accordingly, 32 CFR part 806b is amended as follows:

PART 806b—AIR FORCE PRIVACY ACT PROGRAM

1. The authority citation for 32 CFR part 806b continues to read as follows:

Authority: Pub. L. 93-579, 88 Stat 1896 (5 U.S.C. 552a).

Appendix C to Part 806b [Amended]

2. Appendix C to part 806b is amended by removing and reserving paragraph (b)(8).

Dated: June 27, 1995.

Linda M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 95-17110 Filed 7-13-95; 8:45 am]

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DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024-AC36

Appalachian National Scenic Trail; Revisions to Special Regulations

AGENCY: National Park Service, Interior.

ACTION: Interim rule.

SUMMARY: The National Park Service (NPS) is adopting this interim rule to allow the continuation of an existing hang gliding activity on the Appalachian Trail while the agency develops a special regulation to address the activity through public notice and comment rulemaking. The interim rule will allow the Appalachian Trail Project Manager (Project Manager) to renew the Special Use Permit (SUP) of the Water Gap Hang Gliding Club. The Water Gap Hang Gliding Club (WGHGC) has been undertaking this activity at Kirkridge on the AT for over twenty years and the WGHGC's SUP recently expired.

EFFECTIVE DATE: This rule is effective July 14, 1995 and will expire on

December 31, 1995. Written comments will be accepted through September 12, 1995.

ADDRESSES: Comments should be addressed to: Project Manager, Appalachian Trail Project Office, National Park Service, c/o Harpers Ferry Center, Harpers Ferry, WV 25425.

FOR FURTHER INFORMATION CONTACT:

Donald T. King, Project Manager, Appalachian Trail Project Office, National Park Service, c/o Harpers Ferry Center, Harpers Ferry, WV 25425.

SUPPLEMENTARY INFORMATION:

Background

The Appalachian National Scenic Trail (AT) is a north-south hiking trail that stretches nearly 2,200 miles from Maine to Georgia along the crest of the Appalachian Mountains. The AT is administered by the Secretary of the Interior, National Park Service, as part of the National Trails System.

At its inception, the AT traversed mostly private lands. Use of the private lands was enjoyed not only by hikers, but also by other types of outdoor enthusiasts. In the late 1970's, hang gliders in the area of Fox Gap, Pennsylvania, with the permission of the landowner, were launching from the ridgetop known as Kirkridge, along the Appalachian Mountains. The hang gliders formally organized and established the WGHGC for the purpose of promoting the safety of hang gliding and addressing liability issues.

Originally, the WGHGC used the area with the expressed permission of the landowner and, after the area was acquired by the NPS, the WGHGC requested permission from the NPS and was issued a SUP to continue using the AT area as a launch site. The WGHGC has proven by past conduct to be a good steward of these public lands. The WGHGC has assumed shared responsibility for maintenance of this popular section of the AT along with the local trail club. The WGHGC has a published maintenance schedule for its individual club members to provide trash pick-up in the general area. The WGHGC works with the local trail club to protect the resource qualities of the area and to ensure the area is safe for public use by other outdoor enthusiasts. The private landowners adjacent to the site have endorsed the continued use of the area by the WGHGC. Based upon a review of the past years of use by WGHGC and the experience of others (including the landowners and local hiking club) in the area, the NPS has determined that there are no known adverse impacts caused by the WGHGC activities.

During the review process conducted by the NPS for the renewal of the SUP for the WGHGC, the NPS discovered that a 1983 revision to the general regulations found at 36 CFR 2.17 had created the requirement of a special regulation before the NPS could renew the WGHGC permit. A review of the 1983 rulemaking indicates one of the reasons for requiring the special regulation process was to have a full review of potential conflicts before making a decision to authorize hang gliding in a particular area. This interim rule will allow the activity to continue while the agency undertakes the required rulemaking to adopt a special regulation for the AT.

The NPS is adopting this interim rule pursuant to the "good cause" exception of the Administrative Procedure Act (5 U.S.C. 553(b)(B)) from general notice and comment rulemaking. As discussed above, the NPS believes that this exception is warranted because of the past conduct of the WGHGC while operating under NPS SUPs and the demonstrated lack of adverse conflicts with other users of the AT. These being the principal reasons for the general regulation requirement of special regulations to allow the designation of locations for this activity, the NPS finds that notice and comment are unnecessary and contrary to the public interest for this interim rule. The interim rule is limited to allowing the issuance of a SUP to WGHGC for the site known as Kirkridge, near Fox Gap, Pennsylvania, effective until December 31, 1995. Furthermore, the NPS is developing and will be publishing soon in the **Federal Register** a proposed rule requesting public comment on a special regulation to allow the use of powerless flight devices (hang gliding) on the AT.

The NPS has also determined, in accordance with the Administrative Procedure Act (5 U.S.C. 553(d)(3)), that the publishing of this interim rule 30 days prior to the rule becoming effective would be counterproductive and unnecessary for the reasons discussed above. A 30-day delay would be contrary to the public interest.

Therefore, under the "good cause" exception of the Administrative Procedure Act (5 U.S.C. 553(d)(3)), it has been determined that this interim rulemaking is excepted from the 30-day delay in the effective date and shall therefore become effective on the date published in the **Federal Register** and will expire on December 1, 1995.

Drafting Information

The principal authors of this interim rulemaking are Acting Project Manager Donald T. King, Appalachian Trail

Project Office and Michael M. Tiernan, Office of the Solicitor, Washington, D.C.

Paperwork Reduction Act

This interim rule does not contain information collection requirements that require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et. seq.*

Compliance With Other Laws

This rule was not subject to Office of Management and Budget review under Executive Order 12866. The Department of the Interior determined that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et. seq.*). The economic effects of this rulemaking are local in nature and negligible in scope.

The NPS has determined that this proposed rulemaking will not have a significant effect on the quality of the human environment, health and safety because it is not expected to:

- (a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;
- (b) Introduce incompatible uses which compromise the nature and characteristics of the area or cause physical damage to it;
- (c) Conflict with adjacent ownership or land uses; or
- (d) Cause a nuisance to adjacent owners or occupants.

Based on this determination, the regulation is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) and by Departmental guidelines in 516 DM 6 (49 FR 21438). As such, neither an Environmental Assessment nor an Environmental Impact Statement has been prepared.

List of Subjects in 36 CFR Part 7

National parks; Reporting and recordkeeping requirements.

In consideration of the foregoing, 36 CFR Chapter I is amended as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

1. The authority citation for Part 7 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Sec. 7.96 also issued under D.C. Code 8–137 (1981) and D.C. Code 40–721 (1981).

2. Section 7.100 is amended by adding paragraph (c) to read as follows:

§ 7.100 Appalachian National Scenic Trail.

* * * * *

(c) *Powerless flight.* The use of devices designed to carry persons through the air in powerless flight is allowed at Kirkridge, located near Fox Gap, Pennsylvania, pursuant to a permit issued by the project manager. This authority shall expire on December 31, 1995.

Dated: July 11, 1995.

George T. Frampton, Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 95–17369 Filed 7–13–95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 144–5–7100c; FRL–5256–5]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Interim Final Determination That State Has Corrected the Deficiencies

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final determination.

SUMMARY: Elsewhere in today's **Federal Register**, EPA published a direct final rule fully approving revisions to the California State Implementation Plan (SIP). The revisions concern South Coast Air Quality Management District's (SCAQMD) Rules 1106, 1107, 1115 and 1171 and Santa Barbara County Air Pollution Control District's (SBAPCD) Rules 323 and 339. On that date, EPA also published a proposed rulemaking to provide the public with an opportunity to comment on EPA's action. If a person submits adverse comments on EPA's proposed action within 30 days of publication of the proposed and direct final actions, EPA will withdraw its direct final action and will consider any comments received before taking final action on the State's submittal. Based on the proposed full approval, EPA is making an interim final determination by this action that the State has corrected the deficiency for which a sanctions clock began on January 20, 1994. This action will defer the application of the offset sanction and defer the application of the highway sanction. Although this action is effective upon publication, EPA will take comment. If no comments are received on EPA's proposed approval of the State's submittal, the direct final action published in today's **Federal Register** will also finalize EPA's determination that the State has